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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

	)	<b>Case No. 3:11-cv-01665-JSW</b>
11 E. I. DU PONT DE NEMOURS AND	)	
12 COMPANY,	)	<b><u>JOINT STATUS REPORT AND</u></b>
	)	<b><u><del>PROPOSED</del> ORDER EXTENDING</u></b>
13 Plaintiff,	)	<b><u>STAY OF ACTION</u></b>
	)	AND ADMINISTRATIVELY CLOSING CASE
14 v.	)	
	)	Judge: Hon. Jeffrey S. White
15 USA PERFORMANCE TECHNOLOGY,	)	Hearing Date: None
16 INC., PERFORMANCE GROUP (USA),	)	
17 INC., WALTER LIEW, and JOHN LIU,	)	
	)	
Defendants.	)	
_____	)	

Pursuant to the Court's June 23, 2014 Order, Plaintiff E. I. du Pont de Nemours and Company ("DuPont") and defendants Walter Liew and USA Performance Technology, Inc. (collectively "USAPT") submit this Joint Status Report. The parties request that the stay in this matter set to expire on July 30, 2014, remain in place until resolution of the defense's forthcoming appeal in the related criminal case, *United States v. Walter Liew and Christina Liew*, No. CR-11-0573-JSW.

On April 6, 2011, DuPont filed the instant suit. (Docket # 1.) Defendants filed their Substituted Answer and Counterclaim on July 11, 2011. (Docket # 35.) The action was first stayed July 22, 2011 in light of the criminal prosecution. (Docket # 39.)

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On August 23, 2011, the United States filed *United States v. Walter Liew and Christina Liew*, No. CR-11-0573-JSW. On February 7, 2012, the United States filed a superseding indictment in said action. (*Id.* at Docket # 64.) On March 12, 2013, the United States filed a Second Superseding Indictment. (*Id.* at Docket # 269.) On or about January 7, 2014, trial commenced in the criminal action. On March 5, 2014, the jury returned its verdict, finding Mr. Liew and USAPTI guilty of all counts with which they were charged. (*Id.* at Docket # 804.) Mr. Liew and USAPTI were sentenced by this Court on July 10, 2014. (*Id.* at Docket # 891; *see also id.* at Docket # 893 (Judgment entered against Walter Liew); *id.* at Docket # 895 (Judgment entered against USAPTI).)

The parties understand that the defense has engaged appellate counsel in the criminal action and intends to appeal the jury's verdict. (*Id.* at Docket # 868 (associating Dennis Riordan as counsel for Walter Liew). Until the appeal is decided, the future course of this civil litigation cannot be determined. Accordingly, the parties respectfully request that the Court extend the stay in this action until the appeal in the criminal matter has concluded.

Dated: July 23, 2014

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Dated: July 23, 2014

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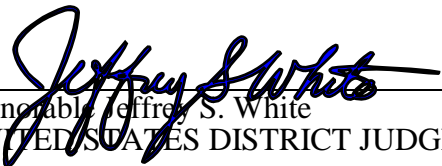
~~[PROPOSED]~~ ORDER

Having read and considered the Joint Status Report,

**IT IS ORDERED THAT:**

The parties' request that the stay be extended until resolution of the appeal in *United States v. Walter Liew and Christina Liew*, No. CR-11-0573-RS is hereby GRANTED. Within 30 days of the appeal's resolution, counsel shall submit a joint status report so advising the Court and indicating how they intend to proceed. The Clerk shall administratively close this case.

July 23, 2014

  
Honorable Jeffrey S. White  
UNITED STATES DISTRICT JUDGE